

FEB-21-2012 11:28AM FROM: WILSON ELSE

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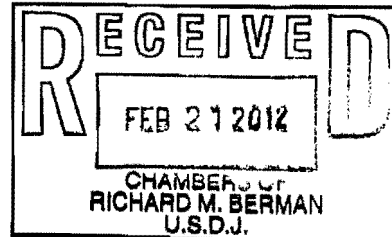
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MEMO ENDORSED

February 21, 2012

Via ECF and FacsimileHon. Richard M. Berman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312**RE: Garcia v. Residence Inn by Marriott Fishkill, et al.**
Our File No. 00805.00076

11 cv. 5361

Dear Judge Berman:

Please accept this correspondence as a request for an adjournment of the discovery deadline in this matter which is currently February 22, 2012. At this time defendants do not have discovery responses from the plaintiff's counsel and therefore have not conducted any depositions or medical examinations of the plaintiff. Plaintiff's counsel consents to the adjournment and no previous requests have been made for such an adjournment.

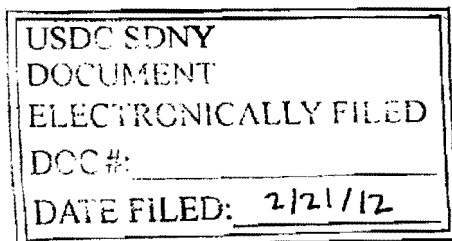
This adjournment will also require the adjournment of the settlement conference currently scheduled in this matter. Given the lack of discovery, defendants are not able to engage in fruitful settlement discussions at this time and do not wish to waste this Court's time.

The parties would request that a new discovery deadline of May 25, 2012 be set with a settlement conference to be scheduled for May 31, 2012

Thank you for your time and attention to this matter.

Very truly yours,

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP



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Elizabeth J. Grogan

The discovery deadline is extended to 4/19/12.	
The parties are directed to file up all discovery issues with U.S. Magistrate Judge Francis, to whom this matter has been referred.	
SO ORDERED:	Richard M. Berman
Date: 2/21/12	Richard M. Berman, U.S.D.J.
The settlement conference on 2/22/12 is adjourned to 5/15/12 at 9:00 a.m.	

cc: Bruce A. Schonberg, Esq. (*via facsimile*)
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